



Howrey Docket No. 00332.0007.CNUS01

3624  
IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary Gastineau *et al.*

Appl. No.: 09/815,589

Filed: March 23, 2001

For: HEDGING EXCHANGE TRADING-OF  
MUTUAL FUNDS OR OTHER  
PORTFOLIO BASKET PRODUCTS

Examiner: TBA

Art Unit: 3624

Confirmation No.: 7446

Atty. Docket No: 00322.0007.CNUS01

Date: January 24, 2006

TRANSMITTAL OF PRELIMINARY AMENDMENT

***Mail Stop Amendment***

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

- ☒ Preliminary Amendment; and
- ☒ Return Postcard.

CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

January 24, 2006  
Date of Deposit

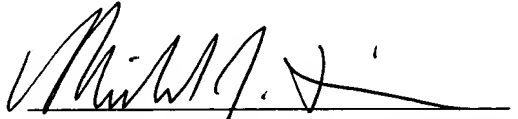
Joan M. Gordon  
Name of Person Mailing Paper

  
Signature of Person Mailing Paper

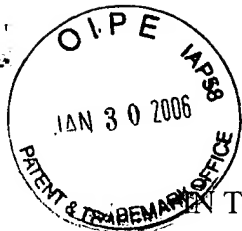
Applicant believes no fees are due in connection with this Preliminary Amendment. However, if any fees are in fact due, the Commissioner is hereby authorized to charge our Deposit Account No. **08-3038**. Kindly make reference to Howrey Docket No. **00322.0007.CNUS01** when debiting this account.

Respectfully submitted,

Date: January 24, 2006

  
Michael J. Stinson (Reg. No. 45,429)

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**PRELIMINARY AMENDMENT**

***Mail Stop Amendment***

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Kindly enter the following amendments to the claims.

**AMENDMENT**

Claims 1-20 (cancelled)

21 (currently amended). A method of intra-day trading of an actively managed fund on an exchange **[comprises] comprising:**

using a hedging basket of securities that tracks the actively managed fund to allow a market specialist to manage investment risk that the specialist takes in the actively managed fund; and